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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,525	06/05/2000	Gerald Isaac Kestenbaum	RM003	7398

7590 02/02/2004

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EXAMINER	
VIG, NARESH	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/587,525	KESTENBAUM, GERALD ISAAC
	Examiner	Art Unit
	Naresh Vig	3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *98 - 108* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *98 - 108* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

This is in reference to response received on 06 November 2003 to the office action mailed on 02 July 2003. Cancellation of claims 1 – 97, and addition of new claims 98 – 108. There are 11 claims, claims 98 – 108 pending for examination.

Response to Arguments

Applicant's arguments with respect to claims 98 - 108 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 98 – 108 are rejected under 35 U.S.C. 102(e) as being unpatentable over BJM Central hereinafter known as BJM.

Regarding claim 98, BJM discloses an internet based Property Management Solution. BJM discloses convenient access to remote users (collaborative exchanging information among tenants, staff and a building manager), integration of e-mail, fax and word-processing [page 7], real time reporting and data posting for all users (task management relating to the operation of a building) [page 6] comprising:

data input and output devices accessible to the tenants, staff, and the building manager (business choice to decide on authorized users of the system) [page 3];

a computer system connecting said data input and output devices [page 3];

said computer system including one or more processors networked together and programmed to process data relating to management of said building [page 3];

said processor being further programmed to receive a communication relating to management of said building from at least one of said tenant, staff and building manager, said communication including data indicating a target recipient among another of said tenants, staff and building manager [page 3, 6, 7];

said computer system being further programmed to output said communication to said target recipient [page 3, 7],

wherein said computer system enables interaction by said tenants with said staff and building manager through said system [page 3, 7].

Regarding claim 99, BJM discloses includes a database for record keeping or task tracking (design choice to decide what information to store in a database, data collected is a non-functional data) [page 3].

Regarding claim 100, BJM discloses database to includes a library of documents relating to the building which documents are accessible for viewing, storing, and editing by said tenants, staff, and building manager [page 3, 6, 13 – 19].

Regarding claim 101, BJM discloses information or an instruction from one of said tenants (an authorized user of the system) to a member of said staff located at a front desk or front gate of said building (an authorized user of the system) [page 7]

Regarding claim 102, BJM discloses communication regarding a service request among said tenants, staff, and building manager (authorized users of the system) [page 7].

Regarding claim 103, BJM discloses communication comprises package delivery and pickup information from said staff to said tenants or building manager (user choice to elect contents of the message in e-mail, fax, document etc. [page 7].

Regarding claim 104, BJM discloses communication of one or more survey questions from a member of said staff or said building manager to one of said tenants, or a response to said survey questions from one of said tenants to a member of said staff or to said building manager (user choice to elect contents of the message in e-mail, fax, document etc. [page 7].

Regarding claim 105, BJM discloses information posted by one of said tenants for viewing by other tenants of the building (an e-mail can be sent to a group of users) [page 7].

Regarding claim 106, BJM discloses database includes addresses and contact information for said tenants, staff, and building manager (design choice to decide what information to store in a database, data collected is a non-functional data) [page 3].

Regarding claim 107, BJM discloses database includes information for task tracking (design choice to decide what information to store in a database, data collected is a non-functional data) [page 3, 6].

Regarding claim 108, BJM discloses database includes information about scheduled maintenance programs (design choice to decide what information to store in a database, data collected is a non-functional data) [page 3, 6].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Information on IRIS

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

Naresh Vig
January 23, 2004

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600